

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

EVAN AULD-SUSOTT, AS
TRUSTEE FOR (1) IRREVOCABLE
LIFE INSURANCE TRUST OF JOHN
L. SUSOTT & KATHRYN C.
SUSOTT UAD 8/17/1988 AS
RESTATED, EXEMPT TRUST FBO
DANIEL C. SUSOTT, & (2)
IRREVOCABLE LIFE INSURANCE
TRUST OF JOHN L. SUSOTT &
KATHRYN C. SUSOTT UAD
8/17/1988 AS RESTATED; AND
JOHN L. SUSOTT,

Plaintiffs,

vs.

LAURYN GALINDO, DANIEL C.
SUSOTT,

Defendants.

CIV. NO. 20-00270 LEK-RT

SUPPLEMENT TO FINDINGS
AND RECOMMENDATION TO
GRANT PLAINTIFFS' MOTION
FOR TAXATION OF
ATTORNEYS' FEES AND
AWARD PREJUDGMENT
INTEREST

**SUPPLEMENT TO FINDINGS AND RECOMMENDATION TO
GRANT PLAINTIFF'S MOTION FOR TAXATION OF
ATTORNEYS' FEES AND AWARD PREJUDGMENT INTEREST**

On February 28, 2022, this Court issued its Findings and Recommendation to Grant Plaintiffs' Motion for Taxation of Attorneys' Fees and Award Prejudgment Interest ("F&R") and directed Plaintiffs to submit a supplemental filing showing their calculations of the prejudgment interest they requested. ECF

No. 125. On March 7, 2022, Plaintiffs filed their Supplemental Memorandum in Support of Plaintiffs' Motion for Taxation of Attorneys' Fees and Award of Prejudgment Interest ("Supplemental"). ECF No.126. Plaintiffs provided as exhibits to their Supplemental the real property tax assessments and appraisal of the Subject Property.¹ Plaintiffs also provided the numbers and calculations showing how their proposed prejudgment interest was calculated.

Defendants were provided with the opportunity to respond to Plaintiffs' Supplemental but the Court limited any response to two pages, double-spaced, and expressly limited any argument to potential calculation errors in Plaintiffs' Supplemental. ECF No. 125. Defendants did not submit a response to the Supplemental, but on March 14, 2022, Defendants filed a Motion for Reconsideration of this Court's F&R ("Motion for Reconsideration"). In the Motion for Reconsideration, Defendants state that they "have not seen any calculation errors in plaintiffs' supplemental filing filed on March 7, 2022." ECF No. 127-1 at PageID #: 1915. After a careful review of the Supplemental and noting that Defendants do not object to Plaintiffs' calculation of the prejudgment interest, this Court RECOMMENDS that the district court GRANT prejudgment interest in the amount of \$122,472.43.

¹ The Subject Property is the property located at 3880 Wyllie Road, Apartment 6A, Princeville HI 96722, TMK (4) 5-4-005-018 CPR 0020 ("Subject Property").

IT IS SO FOUND AND RECOMMENDED.

DATED: Honolulu, Hawaii, April 29, 2022.



A handwritten signature in blue ink, appearing to read "Rom A. Trader".

Rom A. Trader
United States Magistrate Judge

Civ. No. 20-00270 LEK-RT; *Evan Auld-Susott, et al. vs. Lauryn Galindo, et al.*;
Supplement to Findings and Recommendation to Grant Plaintiffs' Motion for
Taxation of Attorneys' Fees and Award Prejudgment Interest